

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1846. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1846.

9 Victoria – Chapter 5

An Act to amend and explain an Act, intituled *An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provision for the same.* Passed 7th March 1846.

Whereas by an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provisions for the same*, it is enacted, that it shall and may be lawful for the Justices of the Peace in their General Sessions, to divide each Town or Parish into as many Districts as shall be thought necessary, and that a sufficient Pound shall be built in each District; and in case the inhabitants of such Districts shall not build the Pound by subscription or otherwise, the Justices may authorize an assessment upon the inhabitants of such District for the building of a Pound: And whereas in several Districts where Pound Keepers have been appointed, and when no such Pounds have been built, the said Pound Keepers have been in the habit of using barns, barn yards and other enclosures as Parish Pounds, for the impounding of horses, swine, sheep and other domestic animals found trespassing, contrary to the provisions of the above in part recited Act: And whereas doubts have arisen with regard to the legality of such proceedings;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That nothing contained in an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provisions for the same*, shall prevent or be construed to prevent any Pound Keeper in any District of any Parish in this Province, where no Public Pound has been built, or having been built shall not be in a proper state of repair, from using a proper barn, barn yard, or other proper enclosure, as a Pound for the time being.

II. And be it enacted, That all the other provisions of the above in part recited Act shall be as applicable to a barn, barn yard, or other proper enclosure, when so used as a Pound, as they are to any Public Pound erected under the provisions of the fifth section of the same.